

## **SENTENCE DATA SHEET**

**DEFENDANT:** Jermaine Melvin Davis

**CRIMINAL NO:** Cr. No. H-12-386-02

**GUILTY PLEA:** Defendant will plead guilty with a plea agreement to Count One of the Criminal Information pursuant to Rule 11(c)(1)(A) and (B).

### **SUMMARY OF PLEA AGREEMENT**

- (a) At the time of sentencing, the United States agrees not to oppose defendant's anticipated request to the Court and the United States Probation Office that he/she receive a two (2) level downward adjustment pursuant to U.S.S.G. Section 3E1.1(a) should the defendant accept responsibility as contemplated by the Sentencing Guidelines;
- (b) If the defendant qualifies for an adjustment under U.S.S.G. Section 3E1.1(a), the United States agrees not to oppose the defendant's request for an additional one level departure based on the timeliness of the plea or the expeditious manner in which the defendant provided complete information regarding his role in the offense if the defendant's offense level is 16 or greater;
- (c) If in the event the United States Government requests and receives substantial assistance from the Defendant, then the defendant may qualify for a 5K1.1 downward departure adjustment if he provides substantial assistance to the United States; in that situation, the United States will file a motion for downward departure at time of sentencing. The decision that the defendant qualifies for substantial assistance is in the sole discretion the United States Government to determine; and
- (e) The defendant agrees to waive his right to appeal his conviction and sentence, directly or collaterally, unless the sentence is imposed illegally.
- (f) The defendant agrees that the weapons in this case were used or possessed, or possessed with knowledge or intent that the firearms would be used or possessed, in connection with another offense, namely conspiracy to possess

with the intent to distribute 5 or more kilograms of cocaine and the defendant agrees not to contest this issue at sentencing.

- (g) The United States agrees not to file any additional charges against the defendant arising out of this criminal transaction.

**COUNT ONE**

**ELEMENTS:** Title 18, Section 924 (o), Title 18, Section 2

*First:* That the defendants conspired to commit the elements of a drug trafficking crime prosecutable in federal court;

*Second:* That the defendants conspired to knowingly use, carry or possess a firearm; and

*Third:* The use or carrying of the firearm was during and in relation to, or the possession of the firearm was in furtherance of, the defendants' conspired crime of violence or drug trafficking crime

**PENALTY:** Imprisonment of up to twenty years and a fine of up to \$250,000.

**SUPERVISED RELEASE:** three (3) years supervised release.

**SPECIAL ASSESSMENT:** \$100

**SENTENCING GUIDELINES:** Applicable

**ATTACHMENT:** Plea Agreement

**CITIZENSHIP:** United States